

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

## JERRY CARMAN.

Case No. C10-5415-RSM

**Plaintiff,**

ORDER REMANDING CASE

V.

MICHAEL J. ASTRUE, Commissioner  
of Social Security,

Defendant.

The Court, after careful consideration of the Plaintiff's complaint, the parties' briefs, all papers and exhibits filed in support and opposition thereto, the Report and Recommendation of the Honorable James P. Donohue, United States Magistrate Judge, and the balance of the record, does hereby find and ORDER:

(1) The Court adopts the Report and Recommendation.

(2) The final decision of the Commissioner is REVERSED and this case is

REMANDED to the Social Security Administration for further proceedings not inconsistent with the Report and Recommendation.

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1 (3) The Clerk of the Court is directed to send copies of this Order to the parties and  
2 to Judge Donohue.

3 DATED this 6<sup>th</sup> day of May 2011.

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RICARDO S. MARTINEZ  
UNITED STATES DISTRICT JUDGE